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## COMMUNITY BOARD No. 2, MANHATTAN

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### FULL BOARD MINUTES

**DATE:** March 19, 2009  
**TIME:** 6:00 P.M.  
**PLACE:** SEIU 32BJ, 101 Avenue of the Americas, 1<sup>st</sup> Floor Conference Room

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Keen Berger, Tobi Bergman, Makrand Bhoot, Carter Booth, Sigrid Burton, Lisa Cannistracci, Maria Passannante Derr, Doris Diether, Ian Dutton, Harriet Fields, Sheelah Feinberg, Amanda Kahn Fried, Elizabeth Gilmore, Edward Gold, David Gruber, Jo Hamilton, Anne Hearn, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Mary Johnson, Zella Jones, Susan Kent, Evan Lederman, Raymond Lee, Edward Ma, Jason Mansfield, Jane McCarthy, Rosemary McGrath, Lois Rakoff, David Reck, Robert Riccobono, Erin Roeder, Rocio Sanz, Wendy Schlazer, Shirley Secunda, Shirley H. Smith, Annie Washburn, Jin Ren Zhang

**BOARD MEMBERS EXCUSED:** Renee Kaufman, Arthur Kriemelman, Ke-Wei Ma, Judy Paul, Arthur Z. Schwartz, James Solomon, Elaine Young

**BOARD MEMBERS ABSENT:** Richard Stewart, Sean Sweeney, Carol Yankay

**BOARD STAFF PRESENT:** Bob Gormley, District Manager, Florence Arenas, Community Coordinator, and Julio Mora, Community Assistant

**GUESTS:** Erin Drinkwater, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Sen. Daniel Squadron, Mary Cooley, Sen. Daniel Squadron's office; Michael Chan, Assembly Speaker Sheldon Silver's office; Matt Borden, Assembly Member Deborah Glick's office; Angelica Crane, Jennifer Hong, Man. Borough President Scott Stringer's office; John Ricker, NYC Comptroller's office; Council Speaker Christine Quinn; Grey Elam, Council Speaker Christine Quinn's office; Paul Nagle, Council Member Alan Gerson's office; Kate Mikuliak, Council Member Rosie Mendez's office; Margie Rubin, Elizabeth Adam, Carmen Ben, Sandra Klass, Shardha Young, Priscilla Loke, Marna Lawrence, Joe Levine, Terri Cude, Adrienne Dobsovitz, Zack Winestine, Scott Finlayson, Jeanne Wilcke, Jacques Ouari, Isabelle Fisher, Georgette Fleischer, Buck Moorhead, Ellen Peterson-Lewis, Marilyn Kraemer, Carol Conway, Ling Lai, Robin Goldberg, Amy Blumsack, Denise Martin, Donald Brooks, Mav Moorhead, Ann Arlen, Chuck Smith, Sono Kuwayama, Martin Tessler, Tom Adams, Bertha Chase, Judy Magida, Sgt. T. Servello, Lisa Lin, Bin Kin Lee, Eliza Foss, Carolyn Coffey, Bohna Nuercelis, Caroline Harris, Suzan Lori-Parks, Florent Morellet, Stephen Chu, Sam Schwartz, Alex Ullam

### MEETING SUMMARY

Meeting Date – March 19, 2009  
Board Members Present – 37  
Board Members Excused–3  
Board Members Absent - 7

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

Carolyn Coffey spoke.

#### Problems at 21, 23, and 25 Cleveland Place

Marna Lawrence spoke regarding the conditions and permits and work orders at the above locations.

#### Poe Room Event

Lois Rakoff announced that on March 20<sup>th</sup>, NYU would be hosting an event regarding Edgar Allan Poe.

#### NYU Small Business Forum

Amy Blumsack made an announcement regarding NYU's upcoming Small Business Forum.

### **Environment, Public Safety & Public Health Items**

Calling on the NY State Legislature, the NY State Department of Environmental Conservation, and NY State Governor David Paterson to PROHIBIT DRILLING FOR NATURAL GAS WITHIN NY STATE.

Ann Arlen spoke in favor of the resolution prohibiting gas drilling.

Buck Moorhead and Joe Levine spoke against gas drilling.

## **Parks, Recreation & Open Space**

### LaGuardia Place Children's Garden Initiative

Bertha Chase and Judy Magida spoke in favor of the application for a new playground, children's garden, and seating area.

## **Sidewalks, Public Facilities & Access Items**

### ABG Standard Operator, LLC, d/b/a/ The Standard Hotel Biergarten, 848 Washington St.,

Alex Ullam spoke regarding the proposed sidewalk café application.

## **SLA Licensing Items**

### V Bar, LLC, 334-336 Bowery, NYC 10012

Denise Martin, Chuck Smith, and Eliza Foss, spoke against the proposed beer and wine license.

### Village Tart, LLC, 86 Kenmare St., NYC 10012

Robin Goldberg, Georgette Fleischer, and Marna Lawrence spoke against the proposed beer and wine license.

### Hoomoos Company, Inc., 100 Kenmare St., NYC 10012

Marna Lawrence spoke against the proposed liquor license.

### Cinema Nolita, 178 Mulberry St., NYC 10012

Marna Lawrence spoke against the proposed liquor license.

## **Traffic and Transportation, Sidewalks & Public Facilities & Access Items**

### A Revocable Consent for Sidewalk Stoop/Steps, Poster Kiosks, LED Up-Lights and Disabled Ramps, Public Theater, 425 Lafayette St. bet. Astor Pl. and E. 4<sup>th</sup> St.

Caroline Harris, representing the applicant, and Stephen Chu, the architect, spoke in favor of the application.

Suzan Lori-Parks, Shardha Young, Margie Rubin, Florent Morellet, Scott Finlayson, and Sam Schwartz, spoke in favor of the application.

Carol Conway, Jeanne Wilcke, Isabelle Fisher, and Martin Tessler spoke against the proposed revocable consent.

Harriet Fields, Executive Director of the NoHo B.I.D., spoke regarding the application.

## **III. ADOPTION OF AGENDA**

## **IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Erin Drinkwater, Congressman Jerrold Nadler's office

Crystal Gold-Pond, Senator Tom Duane's office

Senator Daniel Squadron

Mary Cooley, Senator Daniel Squadron's office

John Ricker, NYC Comptroller's office;

Michael Chan, Assembly Speaker Sheldon Silver's office;

Matt Borden, Assembly Member Deborah Glick's office

Angelica Crane and Jennifer Hong Man, Borough President Scott Stringer's office

Council Speaker Christine Quinn

Grey Elam, of Council Speaker Christine Quinn's office

Paul Nagle, Council Member Alan Gerson's office.

Kate Mikuliak, Council Member Rosie Mendez's office,

## **V. ADOPTION OF MINUTES**

Adoption of January minutes and distribution of February minutes.

## **VI. EXECUTIVE SESSION**

1. **Chair's Report** Brad Hoylman reported
2. **District Manager's Report** Bob Gormley reported.
3. **Offensive Actions of Lafayette French Pastry**

**Whereas**, Lafayette French Pastry, located at 26 Greenwich Avenue, sold a product line in January which the owner called “Drunken Negro Face Cookies”; and

**Whereas**, these repugnantly named cookies were sold for nearly five days before they attracted media attention, the chair of CB#2, Man. called for a boycott of the store, and the owner agreed to halt their sale; and

**Whereas**, this outrage occurred during the week when our country was celebrating the memory of Martin Luther King, Jr. and the Historic occasion of Barack Obama’s inauguration as the first African-American president of the United States; and

**Whereas**, at Senator Duane’s request, the New York State Division of Human Rights offered to conduct a training for a Lafayette Bakery’s owner and employees on their obligations under the State’s Human Rights Law; and

**Therefore, be it resolved** that CB#2, Man. condemns in the strongest possible terms the offensive actions by individuals or businesses, such as Lafayette French Pastry’s sale of the “Drunken Negro Face Cookies,” that denigrate or demean others in our community; and

**Be it further resolved**, that this incident underscores how much more work is needed to eliminate racism in our midst, as Senator Duane and Speaker Quinn pointed out in a letter to the editor of *The Villager*; and

**Be it further resolved**, that although it is the CB#2, Man.'s understanding that the owner has taken a training on the State's Human Rights Law and publicly apologized, various press accounts have cast doubt on his sincerity and whether he understands the nature of his transgression; therefore, we urge him to continue to avail himself and his staff of these trainings and to take other steps as necessary to ensure that neither he nor his employees never engage in such an offensive act again.

Vote: Unanimous, with 37 Board members in favor.

#### **4. Resolution favoring a project to renovate the PS 41 Schoolyard as part of the citywide Schoolyards to Playgrounds initiative**

**Whereas**, the City initiative "Schoolyards to Playgrounds" will renovate 161 schoolyards; and

**Whereas**, each renovated schoolyard will be open for public access as a playground when not dedicated in use by the school; and

**Whereas**, the PS 41 playground will be renovated in FY 2010; and

**Whereas**, the planning, community outreach, and design work is led by the Trust for Public Land in cooperation with the school and under supervision of the NYC Parks & Recreation; and

**Whereas**, CB#2, Man. is among the most "park-starved" communities in the city; and

**Whereas**, the PS 41 is currently an unattractive asphalt yard; and

**Whereas**, the Public Land Trust led a design workshop involving the school community, including a group of students, as well as representatives of the broader community and CB#2, Man.; and

**Whereas**, a design for the planned renovations was presented at a public hearing on March 10, 2009; and

**Whereas**, five members of the CB#2, Man. Parks committee attended the presentation and were unanimously supportive of the project and the design; and

**Whereas**, there were no objections made by the public to any aspect of the plan; and

**Whereas**, the plan will improve accessibility to the playground, all parts of which will be ADA compliant; and

**Whereas**, the design increasing the planting areas and areas for playground equipment and sitting areas without significant reduction of the open active recreation area; and

**Whereas**, the design will create a more attractive open space with opportunities for more varied and safer use which will create an opportunity for a new popular community open space; and

**Whereas**, the school administration supports this project; and

**Whereas**, the school will continue to provide interim public access to the playground from 3 PM to 6 PM on school days and during the day on weekends when staff is available; and

**Whereas**, the construction period will be between 4 and 6 months; and

**Whereas**, the loss of the schoolyard during construction will cause a significant hardship to the school, particularly affecting recess and dismissal; and

**Whereas**, the school has requested the NYCDOT allow closing of the street during certain hours at lunch time and after school; and

**Whereas**, the block association supports this request; and

**Whereas**, St. Vincent's Hospital is participating to assure street closings have no impact on access to the hospital by emergency vehicles;

**Therefore, be it resolved** CB#2, Man. enthusiastically supports this project and the design as presented; and

**Be it further resolved**, CB#2, Man. supports limited street closings to accommodate the needs of the school and requests DOT and others to continue to work closely with the school; and

**Be it further resolved**, that CB#2, Man. requests NYC Parks & Recreation to make its best efforts to reduce construction impacts on the school and the neighborhood, including by scheduling as much work as possible to coincide with periods when school is not in session and when possible by keeping as much of the schoolyard open for school use while work is proceeding on other parts.

Vote: Unanimous, with 37 Board members in favor.

## **STANDING COMMITTEE REPORTS**

### **ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH**

#### **Resolution calling on the New York State Legislature, the New York State Department of Environmental Conservation, and New York State Governor David Paterson to PROHIBIT DRILLING FOR NATURAL GAS WITHIN NEW YORK STATE**

**Whereas**, Natural gas exploration and production companies, and mineral rights owners, are interested in developing a potentially significant gas resource in the Marcellus Shale through the use of horizontal drilling and a hydraulic fracturing technique known as "slick water fracturing" which requires large volumes of water; and

**Whereas**, the State Environmental Quality Review Act requires the Department of Environmental Conservation to review the methods used while accessing this natural gas that's located deep within the Earth; and

**Whereas**; We heard presentations from experts on this issue, among them: James Gennaro, Chair of New York City Council Environmental Protection Committee; Dr. Stephen Corson, Policy Analyst for Manhattan Borough President and lead author of the Borough President's report on this issue; Jared Chasow, Legislative Aide for Senator Tom Duane; Deborah Goldberg, Managing Attorney for Earth Justice's Northeast Office; Craig Michaels, Watershed Program Director for Riverkeeper; and Joe Levine, Co-founder of NY-H2O; and

**Whereas**, Our committee screened a film segment by Josh Fox showing recent destructive consequences/affects of this process; and

**Whereas**, Siobhan Watson spoke for New York City Council Speaker Christine Quinn and said the Speaker was keenly aware of this issue and hasn't taken a position yet; and

**Whereas**, Matthew Borden spoke for New York State Assembly Member Deborah Glick to say she is entirely opposed to this dangerous drilling activity and he distributed copies of her public testimony on the matter; and

**Whereas**, over 70 people attended this Public Hearing, including board members of Manhattan Community Boards 3, 6, & 7; and

**Whereas**, Hydraulic Fracturing mixes water with sand and 250+ toxic chemicals; and

**Whereas**, the 2005 Energy Policy Act exempts companies who employ Hydraulic Fracturing methods from having to comply with many public health laws which were specifically written to protect our natural resources and well being (e.g. Safe Drinking Water Act, Clean Water Act, Emergency Planning & Community Right-to-know Act); and

**Whereas**, Chapter 376 of the Laws of New York State of 2008 streamlined the permitting process for horizontal wells that use hydraulic fracturing, allowing the development of natural gas drilling sites within Marcellus Shale in New York to proceed more quickly; and

**Whereas**, the New York State Department of Environmental Conservation Division of Mineral Resources, Bureau of Oil & Gas Regulation held scoping hearings upstate for a Draft Supplemental Generic Environmental Impact Statement, but failed to hold any hearings within New York City despite the fact 90% of our water supply comes from the Catskill and Delaware watersheds; and

**Whereas**, Chemicals contained in hydraulic fracturing fluids cause a variety of irreversible and catastrophic damages to the air, water, public health, wildlife, and integrity of local communities; and

**Whereas**, Hydraulic fracturing presents risks of water contamination during drilling operations and during the storage and disposal of millions of gallons of the water and chemical additive mixture required for each well that is created; and

**Whereas**, Hydraulic fracturing has resulted in contaminated water supplies in other states, including Wyoming and New Mexico; and

**Whereas**, No amount of careful planning and operation can guarantee that there will be no chemical spills that could flow into reservoirs, underground migration of fracturing fluids toward the water supply, or other accidents resulting from drilling operations; and

**Whereas**, If the water supply should be contaminated, the City of New York would be required by the Environmental Protection Agency to build and operate a water filtration plant, the cost of which has been estimated to be approximately \$10 billion, which would be borne by New York City taxpayers; and

**Whereas**, Absolutely no evidence has been shown by any organization that fluids used during Hydraulic Fracturing can be completely filtered out of drinking water; and

**Whereas**, Council Member Gennaro has introduced Resolution No. 1850 in the New York City Council that calls for a ban for drilling within our Watershed Area; and

**Whereas**, There is no possible remedy once contamination has occurred; and

**Therefore be it resolved**, this method for accessing natural gas is FAR TOO DANGEROUS to the air, water, public health, wildlife and integrity of local communities to be approved by any Federal or New York State entity; and

**Be it further resolved**, CB#2, Man. calls on the New York State Legislature, the New York State Department of Environmental Conservation, and New York State Governor David Paterson to prohibit Hydraulic Fracturing drilling for natural gas within New York State.

Vote: Unanimous, with 37 Board members in favor.

## **LANDMARKS AND PUBLIC AESTHETICS**

### **1<sup>ST</sup> LANDMARKS MEETING**

**1. 27 Wooster St. a/k/a 61-69 Grand St.** Application is to amend Certificate of Appropriateness 06-8018 for the construction of a new building.

**Whereas**, a building was approved for this site previously but major changes have been proposed including reducing the glass façade by installing uncharacteristic metal mesh at the bottom of each window and moving each window to be almost flush with the outside plane of the building, rejecting the tradition in this historic district of recessing the fenestration, and

**Whereas**, the committee felt that the new building is stylistically objectionable and does not follow the rhythm and proportions of the surrounding buildings, but rather through the new introduction of horizontal bands of mesh emphasizes a horizontal, 1950s aesthetic rather than historic vertical characteristics, and

**Whereas**, the building lacks the graduated proportions of surrounding buildings (i.e., a high first floor with diminishing ceiling heights from floor to floor) and attempts to cram in as many floors as possible within the allowable FAR, and

**Whereas** there was significant community opposition to this proposal,

**Therefore be it resolved**, CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 37 Board members in favor.

**2. 600-602 Broadway a/k/a 134-136 Crosby Street** Application is to paint the building, install a painted wall sign and reclad an elevator shaft.

**Whereas**, the owner has proposed the complete outside painting and repair of the building which stretches from Broadway to Crosby Street and is completely visible from Houston Street where two oversized advertising signs have been painted on the façade for many years, and

**Whereas**, the proposal is to keep the eastern end of the Houston Street façade free from any signage and to replace the western sign with a simple and understated logo identifying the business within, be it

**Therefore, be it resolved** that CB#2, Man. recommends approval of this application as long as the western sign is no larger than a square footage equal to 6 times the distance from Broadway to mid-block between Broadway and Crosby.

Vote: Unanimous, with 37 Board members in favor.



3. **57 Great Jones Street** Application is to install new storefront infill and alter a barrier-free access ramp.

**Whereas** the applicant is proposing changes that do not adversely affect the remaining original fabric of the original structure, be it

**Therefore, be it resolved** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 37 Board members in favor.

4. **833 Washington Street (095771)** Application is to install signs.

**Whereas** the applicant requested hanging sign that is standard for that area of the meat market, be it

**Therefore, be it resolved** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 37 Board members in favor.

5. **833 Washington Street (095761)** Application is to install roll-down security gates, doors and install signage.

**Whereas** the applicant requested the installation of roll-down security gates, an orange door to conform to the company design plan, and a 2' 8" by 2' 8" sign, be it

**Therefore, be it resolved** that CB#2, Man. approve the application provided that the security gates be installed inside the storefront in recognition of our longstanding policy to discourage outside security gates because they impact negatively on the streetscape.

Vote: Unanimous, with 37 Board members in favor.

6. **227 W. 13th Street** Application is to install signage.

**Whereas** the applicant proposes signage in addition to their current significant signage (a sign over each window, a massive logo in the center of the building, and fliers posted across the entirety of the interior window surfaces), including a new bracket sign and a vitrine in which to post notices, be it

**Therefore, be it resolved** that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 37 Board members in favor.

7. **576 Hudson Street** Application is to alter the storefronts and install a bracket sign.

**Whereas** the applicant, HSBC Bank, proposes a significant amount of signage including fixed awnings, pressed on glass internal signs, bracket and blade signs on Hudson and W. 11 th Street,

**Therefore, be it resolved** that CB#2, Man. recommends approval with the exception of the bracket sign and the window graphic (the pressed on window sign), which is out of character with the neighborhood.

Vote: Unanimous, with 37 Board members in favor.

8. **115-125 7th Ave. South** Application is to alter the facade and construct a rooftop addition.

**Whereas** the general rule for rooftop additions is that such additions are only approved where the addition is minimally visible (a standard that has been applied to scores of prior applicants) and whereas CB#2, Man. believes that similar applications should be treated in a consistent manner, and

**Whereas** the applicant has requested extensive changes to the current building and whereas the committee believes that the current building is appropriate and contributory, but whereas the proposed building is out of scale, stylistically confused and inappropriate in the district, and

**Whereas**, the proposed four story rooftop addition destroys the vistas from many perspectives within the district, and

**Whereas** many neighbors and community groups spoke in opposition to this project,

**Therefore, be it resolved** that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 37 Board members in favor.

## **2<sup>ND</sup> LANDMARKS MEETING**

1. **451 West Broadway (Prince/Houston) – Soho Cast-Iron Historic District.** A commercial building designed by James Dubois and built in 1883-1884, with a sixth story added in 1906. Application is to legalize the installation of a flagpole without LPC permits.

**Whereas**, the pole is too long to support a legal-size banner and the support bracket was placed in historic material; now

**Therefore, be it resolved** that CB#2, Man. recommends denial of this application

Vote: Unanimous, with 37 Board members in favor.

2. **Item 2 - 484 Broadway - SoHo Cast-Iron Historic District (S.E. Broome)** A store building designed by J. B. Snook, built 1879, and altered in 1911. Application is to install a barrier-free access ramp. Zoned M1-5B

**Whereas**, this ramp is almost four feet wide, 44", and takes up a huge portion of this crowded historic sidewalk; and

**Whereas**, it detracts from the building and the district, and has no historic precedent; now

**Therefore, be it resolved** that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 37 Board members in favor.

3. **Item 2 - 61 West 8th Street - Greenwich Village Historic District** A rowhouse built in 1839, and altered in late 19th and early 20th centuries. Application is to install storefront infill.

**Whereas**, we appreciate the tasteful simplicity of the design; now

**Therefore, be it resolved** that CB#2, Man recommends approval of this application.

Vote: Unanimous, with 37 Board members in favor.

## **PARKS, RECREATION & OPEN SPACE**

### **LaGuardia Place Children's Garden Initiative. A Resolution Supporting a Project and Design for a New Playground, Children's Garden, and Seating Area on LaGuardia Place**

**Whereas** a design proposal was presented to the Parks committee for renovation of City-owned public open space and creation of a children's playground and garden on the east side of LaGuardia Place, north of the Fiorello statue; and

**Whereas** the playground is a small play area for toddlers featuring a fanciful dragon representing the slaying of political dragons by Mayor LaGuardia; and

**Whereas** this is a project of the Friends of LaGuardia Place; and

**Whereas** Friends of LaGuardia Place is the community based organization that served our neighborhood for 22 years; and

**Whereas** this green space along LaGuardia Place was created on the initiative of Friends of LaGuardia; and

**Whereas** this project was initiated by the late Adrienne Goldberg and is supported by neighbors including NYU and AIA; and

**Whereas** the design for this project is by the landscape architecture firm EDAW; and

**Whereas** NYC Parks & Recreation is providing oversight and supervision for design and construction; and

**Whereas** the garden will feature attractive and colorful flowers and plants selected to be in bloom as many months of the year as possible and typical of local native species; and

**Whereas** trees will not be removed; and

**Whereas** bench seating will be provided inside and outside the play area; and

**Whereas** the space as currently designed has no place for people to congregate comfortably; and

**Whereas** the pavements are attractive and use traditional NYC park materials; and

**Whereas** the proposal was generally very well-received by community members; and

**Whereas** some concern was expressed by community members regarding the possibility of people sleeping on the benches and after-hours crowds causing a disturbance; and

**Whereas** CB#2, Man. is committed to wheelchair access to all public space; and

**Whereas** the design will be subject to review by the NYC Design Commission; and

**Whereas** this space will be part of the NYC Parks & Recreation Green Streets program and will be maintained by Friends of LaGuardia Place under an agreement with NYC Parks & Recreation;

**Therefore it is resolved** that CB#2, Man. enthusiastically supports this initiative and applauds all those who have contributed to this challenging effort; and

**It is further resolved** that CB#2, Man. asks the designers to consider appropriate efforts to prevent improper use of benches, and of the park generally, and

**It is further resolved** that CB#2, Man. requests that all areas of this public open space be fully accessible to people in wheelchairs as required and that benches be placed to allow people in wheel chairs to sit comfortably while socializing with people sitting on the benches,

Vote: unanimous, with 31 Board members in favor.

## **SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

### **New App. for revocable consent to operate an Unenclosed sidewalk café for:**

**1. New Organico Inc.,** 89 7th Ave. South, Block: 591, Lot: 33, Police Precinct: 6, CITY Address: 16 BARROW STREET, 10014. betw Bleecker & Barrow Sts., with 17 tables & 34 seats, **DCA# 1308502.**

**Whereas,** the area was posted, community groups notified by e-mail; there was no community correspondence but there was testimony on behalf of the owner and the owner was present, and,

**Whereas,** this lot has frontage of 25 feet and depth of 89 feet, with one building of five stories, built in 1910 (estimated), with 15 residential units of a total 16 units in a Mixed Residential and Commercial Buildings area; Zoning: C4-5: Commercial with a Commercial Overlay; Zoning Map # 12A; and

**Whereas,** the applicant has another restaurant and sidewalk café on MacDougal and Bleecker St., called Ciao, and

**Whereas,** this applicant sought an On Premise license for this new establishment, New Organica, and was denied a recommendation by CB#2, Man. in January '09 as attached, and

**Whereas,** there are 7 interior tables but this application plans for a sidewalk presence of 17 tables & 34 seats, and

**Whereas,** there is a fire escape ladder directly above an area over the sidewalk café, and the applicant agreed to remove one table and two seats from the plan to accommodate the ladder use, and

**Whereas,** the sidewalk plan provides sufficient separation between the café and a sidewalk grate that is 14'5" from the building line,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a NEW application for revocable consent to operate an Unenclosed sidewalk café for New Organico Inc., 89 7th Ave. South, Block: 591, Lot: 33, Police Precinct: 6, CITY Address: 16 BARROW STREET, 10014. WITH A REDUCTION TO 16 tables & 32 seats, DCA# 1308502. .

Vote: Unanimous, with 31 Board members in favor.

**2. ABG Standard Operator, LLC, d/b/a/ The Standard Hotel Biergarten, 848 Washington St., Block: 645, Lot: 11, Police Precinct: 6, City Address, 856 WASHINGTON STREET, 10014; betw Little West 12<sup>th</sup> and 12<sup>th</sup> St., with 31 tables & 92 seats, DCA# 1309290.**

**Whereas**, the area was posted, community groups notified by e-mail; there was no community correspondence and no testimony and the applicant and attorney Robert Bookman were present, and,

**Whereas**, this lot has frontage of 206.5' feet and depth of 150 feet, with one building of 12 stories, built in 2006 as a hotel in an Land use area of Commercial and Office Buildings; Zoning: M1-5: manufacturing; Commercial; Overlay: Zoning Map #: 08B, and

**Whereas**, the restaurant connected with this sidewalk café has 200 inside seats and lounge on ground floor, and

**Whereas**, this facility is located on the far west area of the neighborhood known of Gansevoort and is not adjacent to residential buildings, but is integrated with the planned area of The High Line, and

**Whereas**, the Attorney, Robert Bookman attested to the vetting of this sidewalk café with named community spokespeople at the time of planning the hotel complex in this area, and

**Whereas**, the applicant agreed to a reduction of 4 tables and 8 seats to make better clearance for the sidewalk grid at the north side of the café which are only 3' distance from the grid, and

**Whereas**, there was concern for the use of this sidewalk café for smoking in the smoke-free hotel which also has accommodation for a 140 seat roof top restaurant, a 200 seat interior restaurant and 337 hotel rooms, and

**Whereas**, the applicant agreed to strictly enforce use in the café for no more than 25% or 21 seats designated for smoking in THIS café, and a revised sidewalk café plan that will specify the location,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a NEW application for revocable consent to operate an Unenclosed sidewalk café for **ABG Standard Operator, LLC, d/b/a/ The Standard Hotel Biergarten, 848 Washington St., Block: 645, Lot: 11, Police Precinct: 6, City Address, 856 WASHINGTON STREET, 10014; with 27 tables & 84 seats, DCA# 1309290** **CONDITIONAL UPON a duly signed and executed Change Order specifying:**

- reduction of 4 tables and 8 seats to make better clearance for the sidewalk grid at the north side of the café on the submitted Sidewalk Plan
- no more than 25% or 21 seats designated for smoking in this café the location of which will also be specified on the revised sidewalk café plan.

Vote: Unanimous, with 31 Board members in favor.

**3. NYCMF, Inc., 10 Downing St., d/b/a/ New York City Motorcycle Federation, Block: 527, Lot: 27, Police Precinct: 6; betw. Bleecker and Houston Sts., with 4 tables & 8 seats, DCA# 1308505.**

**Whereas**, the area was posted, community groups notified by e-mail; there was subsequent community correspondence and but no testimony and the applicant and representative Michael Kelly, were present, and,

**Whereas**, this lot has frontage of 157.67 feet and depth of 284.83 feet, with one building of 7 stories, built in 1940 (estimated) with Residential Units of 127 of a total 137 units, in an Land use area of Multi-Family Elevator Buildings, Zoning: R7-2: Residential; with a Commercial Overlay, Zoning Map #: 12A, and

**Whereas**, there are two other recently granted sidewalk cafes appended to restaurants in this same building, at the north and the south of this location, and

**Whereas**, this application proposes to append a sidewalk café to a store selling motorcycle merchandise, and

**Whereas**, the other two sidewalk café's have agreed to reduced hours of café operation in deference to the 127 residential apartments above this location, and

**Whereas**, the applicant has agreed to a one-hour reduction in sidewalk café hours Sunday through Saturday, and

**Whereas**, the applicant has also agreed to the installation of a retractable awning, also in accordance with the other two sidewalk café's in this building, to abate sound and disturbance to the residences above this location, and

**Whereas**, there is a sidewalk grating that is 15'2" from the sidewalk café representing more than sufficient clearance,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a NEW application for revocable consent to operate an Unenclosed sidewalk café for **NYCMF, Inc., 10 Downing St., d/b/a/ New York City Motorcycle Federation**, Block: 527, Lot: 27, Police Precinct: 6; with 4 tables & 8 seats, **DCA# 1308505, CONDITIONAL UPON A DULY EXECUTED Change Order** specifying:

- to a one-hour reduction in sidewalk café hours Sunday through Saturday
- the installation of a retractable awning, also in accordance with the other two sidewalk café's in this building

Vote: Unanimous, with 31 Board members in favor.

**New App. for revocable consent to operate an Enclosed sidewalk café for:**

**4. Red Bamboo on 7th Ave., Inc. d/b/a Soy & Sake Village Café**, 47-49 7th Ave. So. Block: 587, Lot: 7502, Police Precinct: 6; CITY Address: 13 MORTON STREET, 10014, betw Bleecker & Morton, with 21 tables & 52 seats, DCA# 1301309

**Whereas**, the area was posted, community groups notified by e-mail; there was no community correspondence and no testimony and the applicant was present, and,

**Whereas**, this lot has frontage of 57.7 feet and depth of 54.76 feet, with one building of 5 stories, built in 1925 with Residential Units of 5 of a total 7 units, in an Land use area of, Mixed Residential and Commercial Buildings; Zoning: C2-6: Commercial; Commercial Overlay: Zoning Map #: 12A, and

**Whereas**, this enclosed sidewalk café previously existed and was operated by the same owners under a different business name and the sidewalk café has had an interior renovation, and

**Whereas**, there have been no complaints now or previously

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a NEW application for revocable consent to operate an Enclosed sidewalk café for Red Bamboo on 7th Ave., Inc. d/b/a Soy & Sake Village Café, 47-49 7th Ave. So. Block: 587, Lot: 7502, Police Precinct: 6; CITY Address: 13 MORTON STREET, 10014, with 21 tables & 52 seats, DCA# 1301309

Vote: Unanimous, with 31 Board members in favor.

**Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for:**

**5. Carmine Restaurant Inc. d/b/a IL Cortile Restaurant, 125 Mulberry St., btw Hester & Canal Sts. Block: 206, Lot: 17, Police Precinct: 5, CITY Address: 123 MULBERRY STREET, 10013, New York, NY 10013 with 9 tables & 18 seats, DCA# 1161434**

**Whereas**, the area was posted, community groups notified by e-mail; there was no community correspondence and no testimony and the applicant was present, and,

**Whereas**, this lot has frontage of 42.75 feet and depth of 50.5 feet, with one building of four stories, built in 1910 (estimated) with Residential Units of 6 of a total 7 units, in a Land use Area of Mixed Residential and Commercial Buildings; Zoning: C6-2G: Commercial, Commercial Overlay: Zoning Map #: 12C, and

**Whereas**, this sidewalk café has placed planters, pedestal signage and menus on the pedestrian right of way beyond the sidewalk café area, and

**Whereas**, there is a raised platform which, although they are not allowed, is present on the sidewalk plan approved by DCA,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RENEWAL application for revocable consent to operate an Un-Enclosed sidewalk café for **Carmine Restaurant Inc. d/b/a IL Cortile Restaurant, 125 Mulberry St., btw Hester & Canal Sts. Block: 206, Lot: 17, Police Precinct: 5, CITY Address: 123 MULBERRY STREET, 10013, New York, NY 10013 with 9 tables & 18 seats, DCA# 1161434, CONDITIONAL UPON a signed and duly authorized Change Order specifying:**

- Removal of the planters, pedestal signage and menus on the pedestrian right of way beyond the sidewalk café area,

**6. Service Corp. d/b/a/ Jacques, 20 Prince St., Block: 493, Lot: 17, Police Precinct: 5. betw Elizabeth & Mott Sts. with 6 tables & 11 seats, DCA# 1173208**

**Whereas**, the area was posted, community groups notified by e-mail; there was community testimony and the applicant was present, and

**Whereas**, this lot has frontage of 47.5 feet and depth of 129 feet, with one building of six stories, built in 1900 (estimated) with Residential Units of 48 of a total 50 units, in a Land use Area of Mixed Residential and Commercial Buildings; Zoning: C6-2: Commercial, Commercial Overlay: Zoning Map #: 12C, and

**Whereas**, there was one community member attesting to the spreading of the sidewalk café from the planned area to the sidewalk at some times, and

**Whereas**, the sidewalk plan submitted with this application is dated 2004, accompanied with a photograph of 2004, which indicate three French door bays where there are currently three French door bays and an additional entrance to a below grade addition, and

**Whereas**, the current sidewalk plan does not match the current configuration, with two tables placed in front of the below grade entrance, (see Addenda),

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RENEWAL application for revocable consent to operate an Un-Enclosed sidewalk café for **Service Corp. d/b/a/ Jacques**, 20 Prince St., Block: 493, Lot: 17, Police Precinct: 5. betw Elizabeth & Mott Sts. with 6 tables & 11 seats, **DCA# 1173208, CONDITIONAL UPON a fully executed Change Agreement specifying:**

- That the applicant, Jacques Quari will revise the sidewalk plan to show the precise placement of tables on the 13' sidewalk, showing a clear service aisle
- And attesting to the clear and regular placement of tables and or barriers to assure that there will be a minimum of 8' pedestrian right of way.
- That the applicant will establish regular communications with an identifiable neighborhood representing entity to assure quality of life concerns are dealt with in a timely manner.

Vote: Unanimous, with 31 Board members in favor.

**7. Maneken Corp. d/b/a Petite Abeille, 466 Hudson St.,** btw Barrow & Grove Sts., Block: 585, Lot: 1, Police Precinct: 6; CITY Address: 464 HUDSON STREET, 10014.with 6 tables & 11 seats, **DCA# 0979768**

**Whereas**, the area was posted, community groups notified by e-mail; there was community correspondence and the applicant was present, and,

**Whereas**, this lot has frontage of **146.92** feet and depth of 189.08 feet, with two building of six stories, built in1900 (estimated) with Residential Units of 133 of a total 137 units, in a Land use Area of Mixed Residential and Commercial Buildings; Zoning: C1-6: Commercial, Commercial Overlay: Zoning Map #: 12A, and

**Whereas**, upon inspection it was observed that the sidewalk café had 13 seats placed, and

**Whereas**, there was public testimony that the applicant had sidewalk café service prior to 11 AM on Sundays on a regular basis, a claim that was confirmed by the applicant who was unaware that this was not allowed,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RENEWAL application for revocable consent to operate an Un-Enclosed sidewalk café for Maneken Corp. d/b/a Petite Abeille, 466 Hudson St., btw Barrow & Grove Sts., Block: 585, Lot: 1, Police Precinct: 6; CITY Address: 464 HUDSON STREET, 10014.with 6 tables & 11 seats, DCA# 0979768, **CONDITIONAL UPON a duly authorized Change Agreement stating that:**

- The sidewalk café will place only 6 tables and 11 seats in the sidewalk café as stated in their application
- There will be no service prior to Noon on Sundays.

Vote: Unanimous, with 31 Board members in favor.



**8. Hudson Falafel, Inc. d/b/a Hudson Falafel Rest.**, 516 Hudson St., btw 10th & Christopher, Block: 619, Lot: 7, Police Precinct: 6; CITY Address: 514 HUDSON STREET, 10014, with 8 tables & 15 seats, **DCA# 1219470**

**Whereas**, the area was posted, community groups notified by e-mail; there was no community testimony and the applicant was present, and,

**Whereas**, this lot has frontage of **47.25** feet and depth of 70 feet, with two buildings of six stories, built in 1905 with Residential Units of 15 of a total 17 units, in a Land use Area of Mixed Residential and Commercial Buildings; Zoning: C1-6: Commercial, Commercial Overlay: Zoning Map #: 12A, and

**Whereas**, the last renewal occurred in April 2006, but this renewal application is dated February 2009, indicating a three-year consent, instead of the customary two-year consent, and

**Whereas**, there are no community complaints or known citations, and this sidewalk café has been operating for 10 years, with plans dating from 1997,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RENEWAL application for revocable consent to operate an Un-Enclosed sidewalk café for **Hudson Falafel, Inc. d/b/a Hudson Falafel Rest.**, 516 Hudson St., btw 10th & Christopher, Block: 619, Lot: 7, Police Precinct: 6; CITY Address: 514 HUDSON STREET, 10014, with 8 tables & 15 seats, **DCA# 1219470**.

Vote: Unanimous, with 31 Board members in favor.

**9. SLP Management, Inc., b/b/a/ Slaughtered Lamb**, 182 W. 4th St., btw Barrow & Jones Sts., Block: 590, Lot: 73, Police Precinct: 6, with 13 tables & 26 seats, **DCA# 1228083**

**Whereas**, the area was posted, community groups notified by e-mail; there was community correspondence and the applicant's representative, Steve Wygoda, was present, and

**Whereas**, this lot has frontage of **101.17** feet and depth of 44.83 feet, with one building of five stories, built in 1910 (Estimated) with Residential Units of 20 of a total 25 units, in a Land use Area of Mixed Residential and Commercial Buildings; Zoning: R-6 Residential: Commercial, Commercial Overlay: Zoning Map #: 12A, and

**Whereas**, there was community correspondence (see Addenda) noting the disruption of quality of life and the disrespectful street presence of customers to neighborhood residents, and

**Whereas**, the sidewalk measures exactly 12'4" on both the West 4<sup>th</sup> St and Jones St. sides of this establishment, and

**Whereas**, there was no Sidewalk Plan on file or attached to this application, but there was a photograph showing the location but no sidewalk café, and

**Whereas**, upon inspection of this sidewalk café prior to hearing revealed a barrier and a pedestrian clearance of less than 6', and

**Whereas**, the table and seat placements violates sidewalk café statutes,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RENEWAL application for revocable consent to operate an Un-Enclosed sidewalk café for **SLP Management, Inc., b/b/a/ Slaughtered Lamb**, 182 W. 4th St., btw Barrow & Jones Sts., Block: 590, Lot: 73, Police Precinct: 6, with 13 tables & 26 seats, **DCA# 1228083**, **CONDITIONAL UPON** a duly executed Change Agreement specifying that:

- Plans showing legal clearance and table placement will be submitted with this application
- The applicant will immediately correct the pedestrian right of way violation
- The applicant will provide signage and instruct employees to inform patrons that their conduct on the public sidewalk should be respectful of the adjacent residents.

Vote: Passed, with 29 Board members in favor, and 2 in opposition.

**10. Four Green Fields, LLC, d/b/a Agave**, 140 7th Ave. So., Block: 611, Lot: 14, Police Precinct: 6, CITY Address: 50 CHARLES STREET, 10014, btw W 10th & Charles Sts., with 24 tables & 48 seats, **DCA# 1220688**.

**Whereas**, the area was posted, community groups notified by e-mail; there was no community presence or correspondence and the applicant was present, and,

**Whereas**, this lot has frontage of **20** feet and depth of 95 feet, with two buildings of three stories, built in 1940 (Estimated) with Residential Units of 5 of a total 6 units, in a Land use Area of Mixed Residential and Commercial Buildings; Zoning: C2-6: Commercial; Commercial Overlay: Zoning Map #: 12A, and

**Whereas**, this sidewalk café and an additional enclosed sidewalk café has been operation for more than five years at this location, without complaint, and

**Whereas**, plans submitted with this renewal application which are dated Feb. 2006 show a canvas barrier around the unenclosed café where there are now stationary planters that are too heavy to remove at the end of sidewalk café hours, and

**Whereas**, DCA regulations prohibit stationary barriers on unenclosed sidewalk cafes,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RENEWAL application for revocable consent to operate an Un-Enclosed sidewalk café for **Four Green Fields, LLC, d/b/a Agave**, 140 7th Ave. So., Block: 611, Lot: 14, Police Precinct: 6, CITY Address: 50 CHARLES STREET, 10014, btw W 10th & Charles Sts., with 24 tables & 48 seats, **DCA# 1220688**, noting that the stationary planters should be restored to the original canvas barriers.

Vote: Unanimous, with 31 Board members in favor

**11. Cobra Caterer Inc., d/b/a Dublin 6/Topsy**, 575 Hudson St., Block: 634, Lot: 63, Police Precinct: 6; btw Bank & West 11<sup>th</sup> Sts., with 7 tables & 25 seats, **DCA# 1135398**.

**Whereas**, the area was posted, community groups notified by e-mail; there was no community presence or correspondence and the applicant was present, and,

**Whereas**, this lot has frontage of **43.58** feet and depth of 75.1 feet, with two buildings of four stories, built in 1900 (Estimated) with Residential Units of 7 of a total 9 units, in a Land use Area of Mixed Residential and Commercial Buildings; Zoning: C1-6: Commercial; Commercial Overlay: Zoning Map #: 12A, and

**Whereas**, there are no complaints or citations and this sidewalk café has been in this location for a number of years, and

**Whereas**, there are fixed café barriers set into the sidewalk, which are not allowed by DCA regulation for unenclosed sidewalk cafes,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RENEWAL application for revocable consent to operate an Un-Enclosed sidewalk café for **Cobra Caterer Inc., d/b/a Dublin 6/Topsy**, 575 Hudson St., Block: 634, Lot: 63, Police Precinct: 6; btw Bank & West 11<sup>th</sup> Sts., with 7 tables & 25 seats, **DCA# 1135398**, **noting that the fixed railing barrier needs to be replaced with a moveable barrier.**

Vote: Unanimous, with 31 Board members in favor.

**12. Oreste Inc., d/b/a/ Trattoria Toscana**, 64 Carmine St., btw Bedford and 7th Ave So., Block: 528, Lot: 76, Police Precinct: 6, City Address: 60 CARMINE STREET, 10014, SE corner of Bedford, with 8 tables & 18 seats, **DCA# 1163792.**

**Whereas**, the area was posted, community groups notified by e-mail; there was no community presence or correspondence and the applicants representative, Steve Wygoda, was present, and,

**Whereas**, this lot has frontage of **75** feet and depth of 60 feet, with one building of six stories, built in 1900 (Estimated) with Residential Units of 30 of a total 35 units, in a Land use Area of Mixed Residential and Commercial Buildings; Zoning: R6: Residential, Commercial Overlay: Zoning Map #: 12A, and

**Whereas**, this café has no complaints or citations, and

**Whereas**, the owner wishes to amend this application to show 20 seats instead of the above captioned 18,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RENEWAL application for revocable consent to operate an Un-Enclosed sidewalk café for **Oreste Inc., d/b/a/ Trattoria Toscana**, 64 Carmine St., btw Bedford and 7th Ave So., Block: 528, Lot: 76, Police Precinct: 6, City Address: 60 CARMINE STREET, 10014, SE corner of Bedford, with 8 tables & **20 seats**, **DCA# 1163792.**

Vote: Unanimous, with 31 Board members in favor.

## **SLA LICENSING**

**1. Zucca Tratteria, Inc., 95 7<sup>th</sup> Avenue South (Grove and Barrow), NYC.**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a commercial building on 7<sup>th</sup> Avenue South between Barrow and Grove Streets for a 982 s.f. restaurant with 60 table seats, 1 bar with 10 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 12:00 p.m. – 12:00 a.m. Sunday – Thursday and 12:00 p.m. – 2:00 a.m. Friday and Saturday; there is an enclosed sidewalk café but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to enclose the sidewalk café area at all times; and,

**Whereas**, the applicant has agreed to prohibit the use of sound speakers in the enclosed sidewalk café area; and,

**Whereas**, the applicant has agreed to close windows facing the sidewalk café by 10:00 p.m. weekdays and by 11:00 p.m. on weekends; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Zucca Tratteria, Inc., 95 7<sup>th</sup> Avenue South**, unless the conditions agreed to by applicant relating to the fourth, fifth and sixth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 29 Board members in favor

**2. West F&B LLC, 505 West Street (Jane and Horatio), NYC.**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license, pursuant to purchase for a restaurant located in an 3,000 s.f. premise in a commercial building on West Street between Jane and Horatio Streets with 105 table seats with 2 bars and 23 seats; and a maximum legal capacity of 128 persons; and,

**Whereas**, the applicant stated the hours are 6:00 a.m. – 4:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to operate the establishment under the same management of the upcoming Hotel; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **West F&B LLC, 505 West Street**.

Vote: Unanimous, with 29 Board members in favor

**3. West LA, Inc., 186 West 4<sup>th</sup> Street (at Barrow Street), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on West 4<sup>th</sup> Street at the corner of Barrow Street for a 4,300 s.f. Karaoke bar with 20 table seats and 16 Karaoke private booths, 1 bar with 14 seats, and a maximum legal capacity of 199 persons; and,

**Whereas**, the applicant stated the hours of operation are 3:00 p.m. – 2:00 a.m. Sunday – Wednesday and 3:00 p.m. – 3:30 a.m. Thursday - Saturday; there is no sidewalk café and no backyard garden; music is background and Karaoke only; and,

**Whereas**, the applicant has agreed to install proper soundproofing in the establishment; and,

**Whereas**, the applicant has agreed to operate the private booths for Karaoke use only; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **West LA, Inc., 186 West 4<sup>th</sup> Street** unless the conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 29 Board members in favor.

**4. RF Lounge, LLC d/b/a RF Lounge, 531 Hudson St. (West 10<sup>th</sup> and Charles Street) NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on Hudson Street between West 10<sup>th</sup> and Charles Street for a 1,930 s.f. bar with 50 table seats, 1 bar with 6 seats, and a maximum legal capacity of 74 persons pending the issuance of a new Certificate of Occupancy or Letter of No Objection; and,

**Whereas**, the applicant stated there are no plans to change the existing method of operation; the applicant stated the hours of operation are 4:00 p.m. – 2:00 a.m. Sunday – Wednesday and 4:00 p.m. – 4:00 a.m. Thursday - Saturday; there is no sidewalk café and no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to receive a Letter of No Objection or Certificate of Occupancy from the New York City Department of Buildings prior to operating the bar; and,

**Whereas**, several member of the community appeared in strong support of the applicant; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **RF Lounge, LLC d/b/a RF Lounge, 531 Hudson St.** unless the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license; and,

Vote: Unanimous, with 29 Board members in favor.

**5. Q 6<sup>th</sup> Avenue, LLC d/b/a Q-Doba, 404 6<sup>th</sup> Ave. (West 8<sup>th</sup> and West 9<sup>th</sup>), NYC**

**Whereas**, the applicant re-appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on 6<sup>th</sup> Avenue between West 8<sup>th</sup> and West 9<sup>th</sup> streets for a 3,200 s.f. casual Mexican restaurant with 88 table seats, 1 bar with 12 seats, and a maximum legal capacity of 152 persons pending the issuance of a new Certificate of Occupancy and Public Assembly Permit; and,

**Whereas**, the applicant stated the hours of operation for the restaurant are 10:00 a.m. – 1:00 a.m. Sunday – Thursday and 10:00 a.m. – 3:00 a.m. Thursday - Friday; there is no sidewalk café nor a backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to install proper sound proofing in the establishment; and,

**Whereas**, the applicant has agreed to operate the 2<sup>nd</sup> Floor as a full service restaurant and make food items available 1 hour prior to closing; and,

**Whereas**, the applicant has agreed to prohibit the sale or consumption of alcoholic beverages (excluding beer or wine) at the Ground Level; and,

**Whereas**, the applicant has supplied a petition with over 500 signatures in support of the proposed establishment; and,

**Whereas**, this committee recognizes that the applicants currently operate 3 other Q-Doba franchises in New York City with a Beer and Wine license only; and,

**Whereas**, this Committee has strong concerns with a large establishment operating with an On Premise license in 2 distinctive environments (2<sup>nd</sup> Floor restaurant and Ground Floor “Fast Food” style operation) in residential area; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Q 6<sup>th</sup> Avenue, LLC d/b/a Q-Doba, 404 6<sup>th</sup> Ave.**

Vote: Unanimous, with 29 Board members in favor.

**6. Hoomoos Company, Inc., 100 Kenmare St. (Broome and Spring), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on Kenmare Street between Broome and Spring Streets for a 689 s.f. Kosher restaurant and bar d/b/a Hoomoos with 41 table seats, 1 bar with 7 seats, and a maximum legal capacity of 50 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 8:00 a.m. – 12:00 a.m. Sunday – Thursday and 8:00 a.m. – 2:00 a.m. Friday and Saturday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**Whereas**, this establishment has been in operation for over 11 years by the same family; and

**Whereas**, the committee recognizes the value of a Kosher restaurant and respects the cultural and religious aspect of this establishment in our community; and

**Whereas**, several members of the community appeared in strong opposition of the proposed establishment; citing quality life concerns in a residential area; overcrowding issues on Kenmare Street; and the proliferation of bars and restaurants within a 500-foot radius; and,

**Whereas**, the committee recognized that there are over 20 On Premise licensed establishments within 500 feet; and,

**Whereas**, this committee recognizes the good faith efforts made by the applicant and its long standing history in neighborhood but has strong concerns with the extended hours and the saturation of on-premise licenses in a residential area and particularly on this block; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Hoomoos Company, Inc., 100 Kenmare St.**

Vote: Unanimous, with 29 Board members in favor.

**7. Noble Food & Wine, 7 Spring St. (Bowery and Spring) NYC**

**Whereas**, the operator appeared before the committee; and,

**Whereas**, this application is for a renewal of an On Premise license for a restaurant located in a 1,200 s.f. premise in a mixed use building located on Spring Street between Bowery and Elizabeth Streets, with 30 table seats, 1 bar with 10 seats and a maximum legal capacity of 70 persons; and,

**Whereas**, the operator stated the hours of operation are 5:00 p.m. – 12:00 a.m. seven days a week; there is no sidewalk café and no backyard garden; music is background only; and,

**Whereas**, the establishment has allowed illegal use of the kitchen for the neighboring establishment; and,

**Whereas**, the establishment is operating without a valid Certificate of Occupancy; and,

**Whereas**, several members of the community appeared to express concerns with this establishment; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly objects to an On Premise license renewal for **Noble Food & Wine, 7 Spring St.** unless the applicant can provide a valid Certificate of Occupancy to the SLA.

Vote: Unanimous, with 29 Board members in favor.

**8. Stand Up and Down, Inc., 24 E. 12<sup>th</sup> St. (5<sup>th</sup> Avenue and University), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license, pursuant to purchase in a commercial building on West 12<sup>th</sup> Street between 5<sup>th</sup> Avenue and University Place for a 3,200 s.f. casual restaurant d/b/a Stand with 105 table seats, 1 bar with 8 seats, and a maximum legal capacity of 150 persons; and,

**Whereas**, the applicant stated the hours of operation for the restaurant are 12:00 p.m. – 12:00 a.m. Sunday – Wednesday and 12:00 p.m. – 2:00 a.m. Thursday and 12:00 p.m. – 4:00 a.m. Friday and Saturday; there is no sidewalk café nor a backyard garden; music is background only; and,

**Whereas**, the applicant owns the commercial building at this address; and,

**Whereas**, the applicant has agreed to close all French windows facing the street by 10:00 p.m. daily; and,

**Whereas**, the applicant has agreed to prohibit the use of a D.J.; and,

**Whereas**, the establishment is located on a residential block; and,

**Whereas**, the current closing hours are 12:00 a.m. daily; and,

**Whereas**, this committee has strong concerns with the extended hours of operation for an informal restaurant in a residential area; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Stand Up and Down, Inc., 24 E. 12<sup>th</sup> St.**

Vote: Unanimous, with 29 Board members in favor.

**9. West Village Ritz Corp., 189 Bleecker St. (at MacDougal) NYC**

**Whereas**, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for an Asian restaurant located in a mixed use building located at the corner of Bleecker and McDougal with a maximum legal capacity of 74 persons; **to add 8 tables with 24 seats in an unenclosed sidewalk cafe; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 11:00 a.m. – 12:00 a.m. Sunday – Thursday and 11:00 a.m. – 2:00 a.m. Friday - Saturday; music is background only; and,

**Whereas**, the applicant has been approved by the sidewalks committee of Community Board 2, Manhattan; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **West Village Ritz Corp., 189 Bleecker Street.**

Vote: Unanimous, with 29 Board members in favor.

**10. Village Tart, LLC, 86 Kenmare St. (Mulberry and Cleveland Place), NYC**

**Whereas**, the applicant re-appeared before the committee; and,

**Whereas**, this application is for a Beer and Wine license in a mixed use building on Kenmare Street between Mulberry Street and Cleveland Place for a 2,048 s.f. (1,400 s.f. ground floor and 648 s.f. storage basement) dessert bar with 31 table seats, 1 bar with 5 seats, and a maximum legal capacity of 36 persons; and,

**Whereas**, the applicant stated the hours of operation for the cafe are 7:00 a.m. – 2:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**Whereas**, several members of the community appeared in strong opposition of the proposed establishment; citing quality life concerns in a residential area; overcrowding issues at the sidewalk on Kenmare Street; and the proliferation of bars and restaurants within a 500-foot radius; and

**Whereas**, the applicant has agreed to the following set of stipulations to address community concerns; and,

1. Operate as a dessert shop only
2. No French doors
3. Re-appear if change of control or management with the operation



**Whereas**, this committee recognizes the good faith efforts made by the applicant but continues to have strong concerns with the saturation of on-premise licenses in a residential area and particularly on this block; and,

**Whereas**, CB2 previously recommended denial for an on premise license for Village Tart, LLC at this same location; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed Beer and Wine license for **Village Tart, LLC, 86 Kenmare St.**

Vote: Unanimous, with 29 Board members in favor.

**11. V Bar, 2 LLC, 334-336 Bowery (Great Jones and Bond Street), NYC**

**Whereas**, the applicant re-appeared before the committee; and,

**Whereas**, this application is for a Beer and Wine license for an Italian cafe located in a 2,500 s.f. premise with a 1,200 s.f. basement for storage in a mixed use building located on Bowery between Great Jones and Bond Streets with 51 table seats, 1 bar with 9 seats and a maximum legal capacity of 70 persons; and,

**Whereas**, the applicant stated the hours of operation are 7:00 a.m. – 12:00 a.m. Sunday – Thursday, 7:00 a.m. – 2:00 a.m. Friday and Saturday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to not install French doors as previously planned; and,

**Whereas**, the applicant has agreed to install proper soundproofing in the establishment; and,

**Whereas**, several member of the community, including residents in the building appeared in opposition; raising quality of life concerns with another new licensed restaurant establishment in the area; and close proximity of over 18 licensed establishments within 500 feet; and,

**Whereas**, several members of the community appeared in strong support of the applicants; citing the level of quality and professionalism at the principal's other licensed locations; and,

**Whereas**, CB2 previously recommended denial for an on premise license for V Bar, 2 LLC, at this same location; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed Beer and Wine license for **V Bar, 2 LLC, 334-336 Bowery.**

Vote: Passed with 22 in Favor, 6 in opposition and 1 Abstention.

**12. New Organico, Inc., d/b/a Café Organico, 89 7<sup>th</sup> Ave. So. (Barrow and Grove Streets), NYC**

**Whereas**, the applicant re-appeared before the committee; and,

**Whereas**, this application is for a Beer and Wine license in a mixed use building on 7<sup>th</sup> Avenue South between Barrow and Grove streets for a 500 s.f. Italian restaurant with 14 table seats, 1 bar with 6 seats, and a maximum legal capacity of 20 persons pending the issuance of a Letter of No Objection or Certificate of Occupancy; and,

**Whereas**, the applicant stated the hours of operation for the restaurant are 8:00 a.m. – 12:00 a.m. Sunday – Thursday and 8:00 a.m. – 1:00 a.m. Friday and Saturday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to have a menu and food items available at all times up until one hour before closing; (menu and food items available until 11:00 p.m. Sunday – Thursday and 12:00 a.m. Friday and Saturday); and,

**Whereas**, this committee has strong concerns with the proposed sidewalk (outdoor) seating as proportionate to the indoor seating; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed Beer and Wine license for **New Organico, Inc., d/b/a Café Organico, 89 7<sup>th</sup> Ave. So.**

Vote: Unanimous, with 29 Board members in favor.

**13. Cinema Nolita, 178 Mulberry St., NYC 10012**

**Whereas**, this application is for an On Premise liquor license; and,

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, the applicant has made no attempts to notify this committee or members of the community of layovers or postponements for the 2<sup>nd</sup> time; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Cinema Nolita, 178 Mulberry Street** **and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 29 Board members in favor.

**14. Felipe Avalos or Corp. to be formed, 170 Elizabeth St. NYC 10014**

**Whereas**, this application is for a Beer and Wine license; and,

**Whereas**, the applicant failed to request a layover of consideration of the application to the next hearing; and,

**Whereas**, the applicant has made no attempts to notify this committee or members of the community of layovers or postponements for the 2<sup>nd</sup> time; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Felipe Avalos or Corp. to be formed, 170 Elizabeth Street** **and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 29 Board members in favor.

## **SOCIAL SERVICES AND EDUCATION**

### **1. Village Visiting Neighbors**

**Whereas** Village Visiting Neighbors has provided services to thousands of seniors within CB#2, Man. for 37 years, including training and coordinating hundreds of volunteers who facilitate travel to doctors and stores, encourage learning of many kinds, foster intergenerational friendship and mentoring, respond to hospital discharge needs and arrange exercise (yoga!) and other lessons, and

**Whereas** Village Visiting Neighbors serves more than a thousand clients each year in our neighborhoods, including many of the low income, housebound oldest-old (average client age is 91) who have no family support, such as a blind man who testified that he was learning Korean and teaching chess, and

**Whereas** almost half of the financial support for this organization came from the city Department of the Aging, on a contract to expire in 2010, yet in December 2008 without warning or explanation, the city Department for the Aging suddenly cut all funding (about \$265,000) even as they commended Village Visiting Neighbors, and

**Whereas** three staff members have been let go and reserves have been depleted;

**Therefore be it resolved** that CB#2, Man. urges the Department for the Aging to restore financial support for Village Visiting Neighbors in order to protect the health, spirit, and soul of our elderly population, thus saving the cost of hospitals and nursing homes, and

**Be it further resolved** that we urge our City Council members to do all they can to secure the financial future of this valuable community resource.

Vote: Passed with 30 Board members in favor and 1 recusal (Amanda Kahn Fried).

### **2. Mayoral Control of Public Schools**

**Whereas** Mayoral control of the Public Schools, which was inaugurated 7 years ago when Mayor Bloomberg dissolved the Board of Education, is scheduled to end in June 2009 and revert to the previous, decentralized system, and

**Whereas** problems are apparent in both the current and the former systems,

**Therefore Be It Resolved** that CB#2, Man. calls upon our elected officials to devise and pass legislation that will create a new system to oversee our schools, requiring the city to obey state laws and creating an independent commissioner or ombudsman to monitor progress toward excellent public education, and

**Be It Further Resolved** that CB#2, Man. urges our elected officials to draft legislation that includes and encourages: parental input, transparency, administrative effectiveness, checks and balances, accountability, and a fair and effective process for the redress of parent concerns.

**VOTE: THIS RESOLUTION WAS TABLED.**

## **STREET ACTIVITY & FILM PERMITS**

### **Renewal Applications Recommended For Approval (all were approved last year by the full board):**

#### **1. 6/14 - World Science Festival, Washington Sq. So./West/East, b/w MacDougal & Greene St. (multi-block)**

Set up: 8am on 6/14 with some minor tenting set up on 6/12 and 6/13

Break down: 6pm

**Whereas**, the applicant was represented at the Committee meeting by event promoter Peter Downing; and

**Whereas**, the World Science Foundation is hosting numerous events in partnership with universities, museums and cultural institutions around the City to celebrate science and discovery; and

**Whereas**, the World Science Foundation is the brainchild of acclaimed scientist Brian Greene and its purpose is to promote science and discovery to the next generation of Americans and encourage an open dialogue on the most pressing topics in science and nature; and

**Whereas**, the World Science Festival is a free family friendly science expo that includes book readings, educational games, science experiments and presentations and seminars on science and nature featuring leading Nobel laureate scientists and educators; and

**Whereas**, there was limited opposition from the community about the event causing congestion around Washington Square Park, but strong overall support for the educational and cultural significance of the event; now

**Therefore, be it resolved that** CB#2, Man. supports the Street Permit request for the World Science Festival.

Vote: Unanimous, with 37 Board members in favor.

#### **2. 8/1 - Oversea Chinese Mission Street Festival, Hester b/w Elizabeth and Mott Streets**

Set up: 9am

Break down: 6pm

**Whereas**, the applicant was represented by James Mak; and

**Whereas**, the application is a renewal application and there is no community opposition; and

**Whereas**, the Street Festival provides games, medical and health screenings for Chinatown and community residents, information on social services offered to residents of Chinatown by the Chinese Mission and workshops on spirituality; and

**Whereas**, the Oversea Chinese Mission is a non-profit religious organization that is open to all religious denominations and no money is raised from the event; and

**Whereas**, there was no community opposition to the application; now

**THEREFORE BE IT RESOLVED** that CB#2, Man. supports the Street Permit request for the Oversea Chinese Mission.

Vote: Unanimous, with 37 Board members in favor.

**New Applications Recommended for Approval:**

**5/16 - West 11th Street Block Association Street Fair, West 11th Street b/w 5th and 6th Avenues**

Set up: 9:30am

Break down: 4:30pm

**Whereas**, the applicant was represented by Clare Wool and her three children; and

**Whereas**, the West 11th Street Block Association is in the process of revitalizing itself and wishes to host a street fair to help raise funds to get the association off the ground and for future events; and

**Whereas**, the street fair will feature tables where residents of the block will sell baked good and arts and crafts, and

**Whereas**, the street fair will also serve as a block clean up day and community building event for residents of West 11th Street, and

**Whereas**, the street fair will not feature any amplified sound or commercial vendors and is limited in duration and scope; and

**Whereas**, there was no community opposition to the application; now

**Therefore, be it resolved** CB#2, Man, recommends approval for the Street Permit for the West 11th Street Block Association.

Vote: Passed, with 30 Board members in favor, and 1 recusal (E. Gilmore).

**JOINT TRAFFIC AND TRANSPORTATION AND SIDEWALKS, PUBLIC FACILITIES & ACCESS**

**Resolution approving a revocable consent for sidewalk stoop/steps, poster kiosks, LED up-lights and disabled ramps, Public Theater, 425 Lafayette St. bet. Astor Pl. and E. 4<sup>th</sup> St.**

**Whereas** the Public Theatre has applied for a revocable consent for a new 18ft. deep x 75ft. wide three-sided stoop extending into the Lafayette St. sidewalk (plus accompanying disabled access ramps of approximately 19ft. each on the north and south side of the stoop, the full measurement of ramp access being 3ft. deep x 112.3ft. wide), six poster kiosks 7ft.7 in. high x 3ft.1 in. wide, 12 ft. apart (3 on each side) and 2ft. from the building line, and LED up-lights on the stoop steps and on the sidewalk curb; and

**Whereas** to gain needed interior space to accommodate an estimated 1,000 theater attendees and users of Joe's Pub nightly, the Public Theatre is proposing to eliminate the current 800sq.ft. of interior staircase and replace it with the new exterior main stoop of 1,336.5sq.ft. plus an additional 114sq.ft. of handicapped ramps (i.e., 3ft. deep x 19ft. long x 2 sides, north and south) for a total area of stoop and ramps of 1450.5sq.ft.; and

**Whereas** the architects pointed out that an original stoop from the 1890s existed, approximately 10ft. deep x 13ft. wide, which was removed in the 1920's; and

**Whereas**, the current sidewalk is 21.2 ft. deep, and the proposed stoop depth of 18ft. leaves only 3ft. for pedestrians to pass, thereby necessitating construction of a sidewalk extension (bump-out) of 9ft.10in. to accommodate the resulting pedestrian need for sidewalk access; and

**Whereas** a number of people spoke in support of the proposal, citing updated ADA access, the architectural suitability of the façade and grand stairway (stoop) to the Public Theatre’s image, a potential place to gather, and a minimal impact on traffic; and

**Whereas** a large number of people spoke and/or sent letters in objection to the proposal, citing the massive size of the sidewalk installation which would hinder pedestrian passage and be an inappropriate intrusion on the rest of the street, out-of-scale and out-of-context, concern for the lack of consideration of possible traffic impacts in tandem with the anticipated closing of Astor Place, and the billboards’ (poster kiosks) commercialism; and

**Whereas** several community people, including residents, businesses, property owners and design professionals, asked that alternative design approaches be developed, but the Public Theatre indicated that they were unable to do so; and

**Whereas** all of those objecting to as well as those in favor of the proposal expressed their strong support of the Public Theatre, its activities and its important contribution to the area’s overall cultural presence, praising its enrichment of community life, and Community Board No. 2, Manhattan (CB2) fully agrees with this assessment and recognizes the importance of preserving this beloved and significant institution in our community; and

**Whereas**, 6 committee members of the 11 present voted in favor of the 18ft.x75ft.stoop for bringing the Public Theatre more visibly and forcefully out into the public realm, while the remaining 5 voted against it for forcing people to deviate around it, disproportionately taking up sidewalk space and obstructing sidewalk continuity; and

**Whereas**, 6 committee members of the 11 present voted in favor of the poster kiosks (billboards) for enlivening the streetscape, while of the remaining 5, 3 voted nay for their commercialism and sidewalk blockage, and 2 abstained; and

**Whereas** most committee members of the 11 present voted in favor of the LED up-lights, although a few were concerned they might present problems for those with vision limitations; and

**Whereas** 6 committee members of the 11 present voted in favor of the bump-out for accommodating pedestrian passage and the lack of significant impact on traffic, while the remaining 5 voted against it for its artificial application to provide added sidewalk space necessitated by the extended stoop (instead of its customary shortening-street-crossing safety application) and its potential to become an abrupt drop-off point for taxis forcing subsequent traffic to stop and pull around it; and

**Whereas** there was great concern for the precedent that this application would establish both for this neighborhood and the district for large stoops extending across the sidewalk, mid-sidewalk signage (poster kiosks/billboards) and its commercial use, as well as for bump-outs with no relation to pedestrian crossing safety, and CB#2, Man. wants to ensure that such practices do not occur in the district aside from this unique situation.

**Therefore be it resolved that** CB#2, Man. approves the Public Theatre’s application for a revocable consent for a new 18ft. deep x 75ft. wide three-sided sidewalk stoop extending into Lafayette St. (plus accompanying disabled access ramps of approximately 19ft. each on the north and south side of the stoop, the full measurement of ramp access being 3ft. deep x 112.3ft.wide), six poster kiosks 7ft.7 in. high x 3ft.1 in. wide, 12 ft. apart (3 on each side) and 2ft. from the building line, and LED up-lights on the stoop steps and on the sidewalk curb; and

**Be it further resolved that** CB#2, Man. urges that allowance for the addition of a large-size stoop as requested by the Public Theatre and not otherwise present or allowed in this district be limited to the Public Theatre and asserts that this approval is conditional upon the use for theater/arts-related non-profit only; and

**Be it further resolved that** CB#2, Man. recommends that sidewalk billboards (poster kiosks) be limited in this district for use by nonprofit theater activities only, and in this case will not be used to promote the commercial offerings of the associated cabaret, Joe's Pub; and

**Be it finally resolved that** in consideration of the sidewalk extension (bump-out) necessitated by the size of the stoop, CB#2, Man. asks that DOT pursue its suggestion for an additional hearing with its revocable consents division to address the bump-outs' possible traffic/pedestrian impacts and compatibility with the Astor Place reconstruction.

Vote: Passed, with 19 Board members in favor, 17 in opposition and 1 recusal (A. Kahn Fried)

## **WATERFRONT**

### **WHEREAS:**

The Governor is determining which capital projects to direct federal stimulus money into;

1. Pier 40, the largest Pier in the Park, whose playing fields are critical to park-starved lower Manhattan, and whose income stream provides half of the park's operating revenue, is in serious need of major repair; and
2. Using American Recovery and Reinvestment Act funds to repair the pier would save this critical infrastructure and its current programming while allowing for appropriate redevelopment with uses that satisfy crucial needs of local residents, including the need for new schools;

**IT IS HEREBY RESOLVED** that CB#2, Man., in conjunction with Senators Duane and Squadron, and Assembly member Glick, calls upon the Governor and his staff to allocate \$20 million for repair of the roof at Pier 40, \$35 million for repair of the piles at Pier 40, and \$2 million for fendering at Pier 40.

Vote: Unanimous, with 31 Board members in favor.

## **ZONING AND HOUSING**

1. **8-10 Astor Place, Board of Standards and Appeals Special Permit Application pursuant to Section 73-36 of the Zoning Resolution, to allow a physical culture establishment or a health club in a M1-5B zoning district for a term not to exceed ten years**

**Whereas,** The area was posted and there was no opposition to this application, And,

**Whereas,** The proposed usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

**Therefore, be it resolved,** that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

**Be it further resolved**, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit Application pursuant to Section 73-36 of the Zoning Resolution, to allow a physical culture establishment or a health club in a M1-5B zoning district for a term not to exceed ten years.

Vote: Unanimous, with 37 Board members in favor.

**2. 459 Broadway (Block 231, Lot 30) Board of Standards and Appeals Special Permit Application, pursuant to ZR §73-36, to allow a physical culture establishment or health club on the second and third floors in an M1-5B zoning district for a term not to exceed ten years.**

**Whereas**, The area was posted and there was no opposition to this application, And

**Whereas**, The proposed usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

**Therefore, be it resolved**, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

**Be it further resolved**, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit Application, pursuant to ZR §73-36, to allow a physical culture establishment or health club on the second and third floors in an M1-5B zoning district for a term not to exceed ten years.

Vote: Unanimous, with 31 Board members in favor.

**3. 277 Canal Street (Block: 209 Lot:1) Board of Standards and Appeals Special Permit Application pursuant to Section 73-36 of the Zoning Resolution, to legalize a physical culture or health establishment in a M1-5B zoning district for a term not to exceed ten years.**

**Whereas**, The area was posted and there was no opposition to this application, And

**Whereas**, The proposed usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood, And

**Therefore, be it resolved** that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And

**Be it further resolved**, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit Application, pursuant to ZR §73-36, to allow a physical culture establishment or health club on the second and third floors in an M1-5B zoning district for a term not to exceed ten years from the date that they should have obtained the special permit.

Vote: Unanimous, with 31 Board members in favor.



**4. Privately Owned Public Plaza Follow-up Text Amendment City Planning Commission amendment to the Zoning that would make minor changes to the regulations for privately owned public plazas that were approved in October 2007.**

**The Privately Owned Public Plaza**

**Whereas,** The 2007 text amendment implemented significant design changes that greatly improved the quality and accessibility of these spaces and the 2009 Follow-up Text Amendment proposes minor revisions that clarify and improve the 2007 text amendment, And,

**Whereas,** These publicly accessible plazas provide much needed public open space in dense residential and commercial districts for which developers obtained a floor area bonus, And,

**Whereas,** The new rules require a Periodic Compliance Review that will be provided to the local Community Boards and establish a certification process for an Open air café, And,

**Whereas,** the approval process involves a Chair Persons Certification. Though this type of application is typically sent to the Community Boards, Board review is not required and the Privately Owned Public Plaza for the Trump Soho Hotel was not reviewed by this Community Board;

**Therefore, be it resolved,** that CB#2, Man. requests that this text amendment include clear language that requires Community Board review for all designs of Privately Owned Public Plazas, And,

**Be it further resolved,** that CB#2, Man. supports this City Planning Commission amendment to the Zoning that would make minor changes to the regulations for privately owned public plazas that were approved in October 2007.

Vote: Unanimous, with 31 Board members in favor.

**5. Resolution: to formalize support for the Hudson Square Community Input from the Public Forum held on Wednesday, November 5, 2008**

**Whereas,** CB#2, Man. has advocated additional rezoning in Hudson Square since 2003 at the time of the original Hudson Square rezoning, And,

**Whereas,** CB#2, Man. held a Public Forum on Wednesday, November 5, 2008 to elicit community input and establish guiding principals for a rezoning,

**Therefore, be it resolved,** that CB#2, Man. supports the attached community input and requests that the City Planning Commission meet with the Community Board and proceed with additional rezoning in Hudson Square as soon as possible.

Vote: Unanimous, with 31 Board members in favor.

**Hudson Square Community Input, Wednesday, November 5, 2008 6:30 PM**

1. What are Hudson Square's most important assets?

- proximity to Hudson River Park
- pier 40
- graphics/printing history
- historic waterfront

- architecture/commercial building types
- mixed-use
- fairly low-rise/uniformity of scale
- quality of life/quiet
- transportation
- working community
- business
- neighbors (west village, soho)
- safety

2. What are Hudson Square's most significant problems?

- Lack of schools (public and private)
- DSNY plant
- traffic/ noise
- billboards
- lack of amenities
- hotel invasion
- air quality
- need to improve streetscape
- infrastructure
- lack of sidewalk connection to waterfront
- back-up generators
- lack of context of new developments
- out of scale developments (trump hotel)
- scarcity of parking spaces
- flooding
- empty storefronts

3. What are 3-4 changes that would make the neighborhood better?

- contextual zoning
- adding green space
- congestion pricing
- better corridors to waterfront (spring, houston)
- timing of traffic lights (canal st. & greenwich)
- affordable housing
- buildings converted to mixed-use
- mixed retail
- DSNY alternatives –park
- improve holland tunnel traffic
- reinstate verranzano bridge toll
- grocery stores
- protected bike lanes & pedestrian safety

4. What would you like to see a rezoning in this area accomplish?

- mixed-use
- mixed-retail
- opportunities for small business
- height restrictions
- developers to build schools

- restrict noxious uses in and near area
- more residential
- density limitation
- end spot rezoning, instead take comprehensive approach

5. Should the entire M1-6 district be treated more or less the same, or are there areas within that require special attention?

- residential areas
- manufacturing area
- corridor to river
- south-north vs. east-west streets
- smaller buildings
- on top of holland tunnel
- high traffic areas
- historic district (ckvd)

6. What uses for new development would be acceptable (residential, community facilities, etc.)?

- schools (public and private)
- dorms
- affordable housing
- supermarkets
- biotech, r&d
- library
- cultural center
- more residential
- media
- community facilities
- senior center
- retail (limit big box)
- small business
- car-centric restriction
- no heavy industrial

7. What would be the proper balance of residential and commercial use in the district?

- more small business
- more retail that serves residents
- 3/4 commercial - 1/4 residential?

8. What sorts of uses may warrant additional density (i.e. affordable housing)?

- (current FAR is not necessarily baseline)
- (mixed - between hotel vs. affordable housing)
- (no urban plaza bonus)
- (community facility (not hospital or dorms))
- open space
- schools
- affordable housing
- cultural non-profits
- community centers, lgbt

9. Are there enough retail stores? What kinds of stores would you like to see?

- no!
- more support for residential and business tenants
- need supermarkets, drugstores, hardware
- art store, bagels, green market possible
- PJC II

10 How could the existing subway stations be improved?

- putting back exits: grand street (1) spring street (F) (C)
- ADA accessibility
- more attendants at prince/houston
- CB2 resolution: M21 spring & greenwich, hudson, enforcement
- parking

11. Do you see a need for schools in this neighborhood?

- yes
- elementary schools & middle schools
- university?

12. Are there opportunities to improve open space in the neighborhood?

- spring street & hudson (SE corner)
- holland tunnel - dominic st.
- entrance plaza at holland tunnel
- water shaft - houston & clarkson on hudson
- connections to hudson river park
- more trees
- CCSC- park on roof
- DSNY garage
- green buildings
- pocket parks
- benches/tables/chairs
- kiosks- retail. Coffee
- bike racks

13. How might traffic congestion be addressed?

- c.p.
- ban truck-dependent
- 2-way toll on verrazano
- air quality testing & monitoring
- local & tunnel traffic separated
- avoid re-routing onto smaller streets
- agents (by BID)
- parking permits
- analysis of patterns, impact areas

14. Missed?

- M2-4- look at this?
- existing FAR of 10 should not be taken as a given. Would less FAR be better?
- M1-5- never considered
- landmarking can go hand-in-hand with zoning.

**NEW BUSINESS**

Respectfully submitted,

Susan Kent  
Secretary  
Community Board #2, Manhattan